

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
 TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY
 AT NASHVILLE

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NOV - 2 2010
 Dav. Co. Chancery Court

BRANCH BANKING AND TRUST
 COMPANY,

Plaintiff,

v.

315 UNION STREET HOLDINGS, LLC,
 UNION STREET PLAZA
 OPERATIONS, LLC, and
 PRUDENTIAL MORTGAGE CAPITAL
 FUNDING, LLC,

Defendants.

Case No.

3:10-1081

DNORH

The Court

ADOPTS the

Order pending

further Order

by the Court

11/19/10

DAVIDSON CO. CHANCERY CT

2010 NOV -3 PM 4:00

FILED

RESTRAINING ORDER AND NOTICE OF HEARING
 ON MOTION FOR ENTRY OF RECEIVERSHIP ORDER

This case is before the Court on the *Verified Complaint for Appointment of Receiver Pending Foreclosure* ("Verified Complaint") filed by Plaintiff Branch Banking and Trust Company ("BB&T") and BB&T's *Motion for Restraining Order* (the "Motion"). In the Motion, BB&T requests, among other things, that the Court restrain Defendants 315 Union Street Holdings, LLC and Union Street Plaza Operations, LLC ("Defendants") and their officers, agents, servants, employees, and attorneys, as well as those persons in active concert or participation with any of them, from taking certain action with respect to the Property (as that term is defined below). BB&T also requests in the Motion a hearing on its *Motion for Entry of a Receivership Order*.

Based upon the Verified Complaint and the Motion, the Court finds as follows:

1. BB&T represents that it is the holder of that certain *Secured Promissory Note*, as modified (the "Note"), evidencing Defendants' indebtedness in the original principal amount of up to \$18,700,000.00 plus interest, costs, and expenses (the "Indebtedness"). BB&T alleges that

07000N\087290;871055;1;NASHVILLE